19

R Dis. File No. 481

1939

Collection No.

Mysore Residency

CC
22/7/47

Prós. Serial Nos. 1 – 6

Subject.

Term of office of the member of the Bangalore Trades Association on the Municipal Commission

Amendment of Municipal Bye-Laws

Previous References.

1189/36

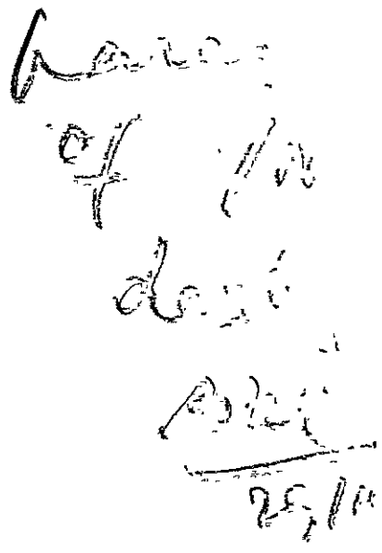
1432/36.

Later References.

R Dis 612/40.

H

29/11/46



NOTES AND PRECIS.

D.No.8010. S.N.1.

Under Section 9 (2) of the Bangalore Municipal Law, the Resident has fixed that every elected Commissioner shall hold office for a term of three years. vide sub para. 2 of rule 1 of the Rules for the election of Municipal Commissioners. (Page 116 of Municipal Bye Laws) Any change in these rules can be effected only by an amendment of these Rules. Under section 180 (1) of the Municipal Law, a draft of such an amendment has to be published and objections if any invited.

2. There seems to be no objection to the term of office of the member being reduced to one year. The proposal may therefore be agreed to, and the President, Municipal Commission may be asked to send draft amendment to the Election Rules.

Draft submitted.

9.8.39

19/8/39

19/8.

S.N.(2)

168-10 (T)

5

Page 11 of (T)

Please see S.N.1 and 5.

The draft amendment may now be finally confirmed. The 'overlapping' referred to by the Southern Division Rate Payers' Association, will not take place. The term of office ~~of~~ of a Commissioner appointed by the Resident, or elected, during the middle of a term, is usually restricted to the period of a sitting Commission. The Commissioner appointed by the Resident by office will of course continue to hold office until the Resident otherwise directs.

Section 96(1) of Land.

Draft submitted.

RLL 39
23. 10.

Secy

The Rules to Rule 1 cover the case Issue

Rueben
24/10/39

S.N.6 Issue

Records may be asked to make necessary corrections in the ~~Municipal Bylaws~~ office Copies of the Municipal Bylaws. Spare Copies of the Notification are kept below.

25/11/39 27

27.11.39

CORRESPONDENCE.

PWD 3/8/39-1
3143/39
Rule 3

5—3.000—12—5—39

CIVIL & MILITARY STATION, BANGALORE.
MUNICIPAL OFFICE.

Dated 2nd August, 1939.

From

H. H. CARLESTON, ESQ., I.C.S.,
President, Municipal Commission,
Civil and Military Station, Bangalore.

To

The Secretary to the Hon'ble the Resident in Mysore,

BANGALORE.

Sir,

Term of office of the member of the Bangalore Trades Association elected by the Association to represent it on the Municipal Commission.

I have the honour to forward herewith a copy of a letter dated the 27th July 1939, from the Honorary Secretary, Bangalore Trades Association together with copies of the previous correspondence referred to therein and to state that under the existing Election Rules, the term of office of every elected Commissioner and every Commissioner appointed by the Resident by name, is 3 years. There is however no objection to the Trades Association electing its representative once a year. If the Resident agrees to the proposal, paragraph 2 of rule 1 of the Election Rules will have to be amended. The new Commission will be constituted from the 1st December 1939.

p. 2

p. 3-4

p. 116 of Mul. Rule Laws

—do—

OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE.
3 Aug. 1939
Diary No. 8010
File No.

I have the honour to be,

Sir,

Your most obedient servant,

H. H. Carleston

PRESIDENT, M. C.

HB. 2/8/1939.

(2

Letter dated the 27th July 1939 from the Honorary Secretary, Bangalore Trades Association, to the President, Municipal Commission, C. & M. Station, Bangalore.

Re: Representation on the Municipal Commission.

On the 29th of July, of last year, this Association addressed you in connection with its representation on the Municipal Commission, with a view to having its Representative elected annually instead of triennially as is the procedure, at present.

This Association was informed, in reply, that any change in the Rules such as that proposed by the Association could only take effect in relation to the Commission when next it was constituted.

In view of the impending change in the constitution, in November next, I am desired to remind you of the Association's proposal of last year and to inform you that it continues to be this Association's desire that its Representative be elected annually instead of triennially.

The Association shall be obliged if the proposal, in question, be, again, put before the Hon'ble the Resident in Mysore for his sanction.

Letter dated the 29th July 1938 from the Honorary Secretary, Bangalore Trades Association, to the President, Municipal Commission, C. & M. Station, Bangalore.

Representative on the Municipal Commission.

At the monthly General Meeting of this Association held on 26th instant consideration was given to a proposition that the election of this Association's representative to the Municipal Commission be made annually in October instead of triennially as at present.

After much discussion, it was resolved that with the approval of the Hon'ble the Resident in Mysore, this Association's representative to the Municipal Commission shall be elected annually by the Association's Members and that the next such election shall take place in October 1938, and that a copy of this resolution shall be forwarded through the President, Municipal Commission, for sanction by the Hon'ble the Resident.

I shall be obliged if you will communicate to me, in due course, the decision of the Hon'ble the Resident

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Letter No.3500/38 dated the 12th August 1938 from C. F. V. Williams Esq., I.C.S., President, Municipal Commission, C. & M. Station, Bangalore, to the Honorary Secretary, Bangalore Trades Association, No.17-A, South Parade, BANGALORE.

Representative of the Bangalore Trades Association on the Municipal Commission - Reference - Your letter dated the 29th July 1938.

The representative of the Association on the Municipal Commission is elected under the provisions of rule 22 of the Election Rules and under rule 1 of the Election Rules every Elected Commissioner and every Commissioner appointed by the Resident by name shall hold office for a term of 3 years. Any change in the Rules such as that proposed can therefore only take effect in relation to the Commission when it is next constituted, and cannot affect the tenure of office of present incumbents.

DEPARTMENT.

BRANCH.

Draft ~~Letter~~ / ~~Memorandum~~ / ~~Telegram~~

R. Dis.

No. 481/39 G/& A. Dated 14-8-

Class for telegrams	INLAND:	FOREIGN:
	~~Immediate~~	~~Immediate.~~
	~~Important~~	~~Important~~
	~~Express~~	~~Ordinary~~
	Ordinary	~~Without priority~~

To be issued on	Issued on
1st Reminder	
2nd Reminder	
3rd Reminder	
Heading:	
Case or Diary No.	
If post copy of telegram required	
Date of despatch of above	
List of enclosures	

(Code word for telegrams.)

To

The President,
Municipal Commission,
C & M Station,
Bangalore.

Term of office of the member of the Bangalore Trades Association on the Municipal Commission.

Sir,

I am directed to refer to ~~your~~ letter No.3143/39, dated the 2nd August 1939.

2. The Resident agrees to the proposal. Please send for ~~necessary~~ a draft amendment for objections publication to the Election Rules.

I have, etc.,

Secy. to the Resident.

7.8

S. 5.

MGIPC—S5—1595(S&P)MFP—(M-944)—6-3-39—60,000 Pads

6—4,000—12—5—39

No. 8643/39 CIVIL & MILITARY STATION, BANGALORE,
MUNICIPAL OFFICE.

Dated 17th August, 1939.

From

H. H. CARLESTON, ESQ., I.C.S.,
President, Municipal Commission,
Civil and Military Station, Bangalore.

To

The Secretary to the Hon'ble the Resident in Mysore,

BANGALORE.

Sir,

Term of office of the member of the Bangalore Trades Association elected by the Association to represent it on the Municipal Commission.

With reference to your letter No.F.481-39/G.& A. dated the 14th August 1939, I have the honour to forward herewith a draft amendment to paragraph 2 of the Election Rules for publication for objections.

I have the honour to be,
Sir,
Your most obedient servant,

H.H. Carleston

PRESIDENT, M.C.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
19 AUG. 1939
Diary No. 8645
R. No. 481/39.

HB. 17/8/1939.

DRAFT AMENDMENT.

Substitute the following for the present paragraph 2 of Rule 1 (of the Election Rules):-

"Except the Commissioner elected by the Bangalore Trades Association under Rule 22, who shall hold office for a term of one year, every other elected Commissioner and every Commissioner appointed by the Resident by name, shall hold office for a term of three years"

HB. 17/8/1939.

Issued 26/8/39 Ms.

Issued 2-9-39

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. 85 dated the 26th August 1939.

The following draft of an amendment which it is proposed to make in the rules for the election of Municipal Commissioners in the C & M Station, Bangalore, issued under the Resident's Notification No.37, dated the 16th April 1928, as subsequently amended, is published for general information as required by section 180 of the Bangalore Municipal Law, 1897, and notice is hereby given that the draft will be taken into consideration on or after the ~~1st November~~ 2nd October 1939.

Any objection or suggestion which may be received from any person in respect of the said draft before the date aforesaid will be considered by the Hon'ble the Resident in Mysore.

Draft amendment.

Substitute the following for the present sub paragraph ~~2~~ of Rule 1:—

"Except the Commissioner elected by the Bangalore Trades Association - - under Rule 22, who shall hold office for a term of one year, every other - - elected Commissioner and every Commissioner appointed by the Resident by name, shall hold office for a term of three years".

(Sd) H. Trenelyan,

Secy. to the Resident.

P.T.O.

To be published in the Mysore Residency Orders.

The President, Municipal Commission, C & M Station, Bangalore, with reference to his letter No.3943/39, dated the 17th August 1939.

The Editor, Daily Post, Bangalore, with compliments.

WMCN GSH PMP 7/9/39

Southern Division Rate-payers' Association,
C. & M. Station, Bangalore.
(Registered under Act xxi of 1860.)

Bangalore, the 6th. September *1939.*

No. 377/39

Sir,
~~Madam,~~

Election Rules

S.N.4 (T)

With reference to the Hon'ble the Resident's notification, dated the 29th. August, 26?, I enclose an extract para.7 of the proceedings of the Meeting of my Committee, held on the 2nd. September which contains their views on the proposed amendment to the Election Rules.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
7 SEP 1939
Diary No. 9324
File No. RA 481/39

I have the honour to be,

Sir,

Your most obedient servant,

Honorary Secretary
and Treasurer.

The Secretary to the
Hon'ble the Resident in Mysore,
BANGALORE.

7. Municipal Elections and the Voters' List - The Hon. the Resident's Notification, dated the 29th. August, inviting suggestions and objections to an amendment proposed in sub para of Rule 1 of the Election Rules to the effect that the nominee of the Bangalore Trades Association should hold office for one year and that every other elected Commissioner and every Commissioner appointed by the Resident by name shall hold office for a term of three years, was read. In discussing the merits of the amendment proposed, the Committee had no objection to raise/the principle of the amendment - so long as there was no overlapping, i.e. a Commissioner appointed by the Resident or elected, say in the middle of the term, did not go into the next Commission to complete his three years. They thought that all Commissioners, whether appointed bythe Resident, or elected, should be *functus officio* when the term of the Commission ends.

M of M No 6 of 2/9/39

S.N.6

OFFICE OF THE HON'BLE THE RESIDENT
IN MYSORE.

No. 136 Dated 30th Oct. 1939.

Issued 24/10
30/10/39

Page 54 Law

Notification

In exercise of the powers conferred by section 175(1)(g) and (h) of the Bangalore Municipal Law, 1897, the Hon'ble the Resident is pleased to make the following amendment in the rules published with his notification No.37, dated the 16th April 1928, as subsequently amended.

Page 116 of Bye-laws

Amendment.

Substitute the following for the ~~present~~ second sub paragraph of Rule 1:-

"Except the Commissioner elected by the Bangalore Trades Association under Rule 22, who shall hold office for a term of one year, every other elected Commissioner and every Commissioner appointed by the Resident by name, shall hold office for a term of three years".

Secretary to the Resident.

To be published in the Mysore Residency Orders.

The President, Municipal Commission, C & M Station, Bangalore, in continuation of endt. from this office No 85 dated the 26th August 1939.

S.N.4 of (T)

The Editor, Daily Post, Bangalore, with compliments.